

APPLICATION for SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2010-0009

PROPERTY LOCATION: **277 South Washington Street, Alexandria, Virginia**

TAX MAP REFERENCE: **74.02 13 03**

ZONED: **CD/Commercial Downtown**

APPLICANT Name: **Cathal Armstrong and Meshelle Armstrong
110 South Pitt Street, Alexandria, Virginia 22314**

PROPERTY OWNER Name: **Atrium Building LLC, c/o Carr Properties
1776 Eye Street, N.W., Suite 500, Washington, D.C. 20006**

PROPOSED USE: **Special Use Permit to operate a restaurant.**

☒ **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

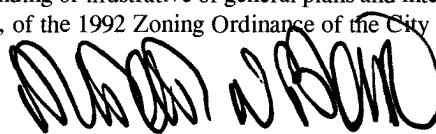
☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED** hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning Commission on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Land, Clark, Carroll, Mendelson & Blair, P.C.

Duncan W. Blair, Esquire

Print Name of Applicant or Agent



Signature

524 King Street

Mailing/Street Address

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

dblair@landclark.com

Alexandria, Virginia 22314

City and State Zip Code

February 23, 2010

Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____ DATE: _____

ACTION - CITY COUNCIL: _____ DATE: _____

SUP # 2010-0009

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 177 S Washington St, Alexandria, VA 22314, I hereby
(Property Address)

grant the applicant authorization to apply for the restaurant use as
(use)

described in this application.

Atrium Building LLC, a Delaware limited liability company
By: Columbia Equity LP, its Manager
Name: By: Carr Properties CC LLC, its general partner

Phone 202-303-3080

Please Print

Address: 1776 Eye Street NW Ste 500
Washington DC 20006

Email: N/A

Signature: [Signature]
Vice President

Date: 2/16/10

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☐ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request.

2. The applicant is the (check one):

☐ Owner

☐ Contract Purchaser

☒ Lessee or

☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Atrium Building, LLC 1776 Eye Street, Suite 500, Washington, DC 20006 100%

SUP # 2010-0009

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(Property Address)

grant the applicant authorization to apply for the _____ use as
(use)

described in this application.

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By: Columbia Equity LP, its Manager
Name: By: Carr Properties CC LLC, its general partner Phone: 202-303-3080

Please Print
Address: 1776 Eye Street NW Ste 500 Email: N/A
Washington DC 20006

Signature: [Signature] Date: 2/16/10
Vice President

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☐ Other: _____ of the subject property.

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OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Cathal Armstrong	8325 Old Mount Vernon Road Alexandria, VA 22309	50%
2. Meshelle Armstrong	8325 Old Mount Vernon Road Alexandria, VA 22309	50%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

3. Business or Financial Relationship. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

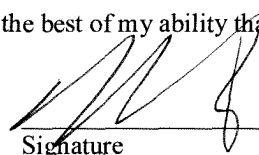
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Cathal Armstrong	None	Planning Commission, City Council, Board of Architectural Review (OHAD)
2. Meshelle Armstrong	None	Planning Commission, City Council, Board of Architectural Review (OHAD)
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

February 22, 2010
Date

Cathal Armstrong
Printed Name


Signature

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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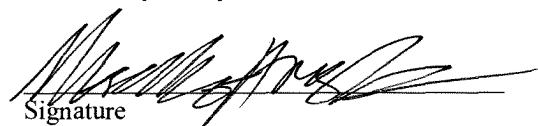
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1. Cathal Armstrong	None	Planning Commission, City Council, Board of Architectural Review (OHAD)
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As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

February 22, 2010
Date

Meshelle Armstrong
Printed Name


Signature

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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Name	Address	Percent of Ownership
1. Atrium Building, LLC	1776 Eye Street, NW Suite 500. Washington DC 20006	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. The Atrium Building, LLC ownership has no business or financial relationship with any of the people mentioned.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

(See Name below)

Matthew T. Maccaroni, CCIM
Vice President
Carr Properties
202-303-3070 (p)
202-303-3088 (f)
mmaccaroni@carrprop.com

See signature in owner's authorization statement.

Date	Printed Name
	<u>Alexandria City Council</u>
	William Euille, Mayor
	Kerry Donelly, Vice Mayor
	Frank Fannon IV
	Alicia Hughes
	Rob Krupicka
	Redella "Del" Pepper
	Paul Smedberg

Board of Zoning Appeals
Harold Curry, Chair
Mark Allen, Vice Chair
Geoffrey Goodale
David Lantzy
Jennifer Lewis
Eric Zander
John Keegan

Board of Architectural Review
Parker-Gray District
Christina Kelley, Chair
William Conkey
H. Richard Lloyd, III
Thomas Marlow
Douglas Meick
Philip Moffat
Deborah Rankin

Signature
<u>Planning Commission</u>
John Komoroske, Chair
H. Steward Dunn, Vice Chair
Donna Fossum
J. Lawrence Robinson
Mary Lyman
Jesse Jennings
Eric Wagner

Board of Architectural Review
Old and Historic District
Thomas Hulfish, Chair
Oscar Fitzgerald
Arthur Keleher
Wayne Neale
Peter Smeallie
James Spencer
John Von Senden

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request

2. The applicant is the (*check one*)

☐ the Owner

☐ Contract Purchaser of the building

☒ Lessee or

☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Cathal Armstrong's and Meshelle Armstrong's address for mailing purposes is 110 South Pitt Street, Alexandria, Virginia 22314. It is anticipated that a Virginia limited liability company will be formed which will own and operate the restaurant. Additionally individuals or business entities may have an ownership interest in the limited liability company to be formed.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ Yes. Provide proof of current City business license.

☐ No. The agent shall obtain a business license prior to filing application, If required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

Cathal and Meshelle Armstrong are requesting a Special Use Permit to open and operate **Society Fair** in the Atrium Building at 277 South Washington Street in the Old Town area of Alexandria.

Society Fair is a gourmet butchery and bakery within a restaurant. It is similar to European food emporiums where patrons can enjoy a high-end food market or enjoy food and wine in a stylish setting. The menu will feature organic items from local farmers. The menu will change daily based on the seasonality of the markets. (See *proposed menu*) The décor will feature the charm of the old world architecture with a stylish interior, walk in wine cellar, comfortable couches and banquettes. (See *proposed design images*)

Society Fair will occupy 7000 square feet of space in the Atrium Building on the South Washington Street of which 5, 500 square feet will be the actual market and restaurant. Society Fair will have 40-50 seats inside for dining with a wine bar and seasonal outdoor seating.

This is the Armstrong fifth culinary site in Alexandria.

USE CHARACTERISTICS

4. The proposed special use permit request is for: (*check one*)

☒ a new use requiring a special use permit,

☐ a development special use permit,

☐ an expansion or change to an existing use without a special use permit,

☐ expansion or change to an existing use with a special use permit,

☐ other. Please describe: _____ .

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

The Applicant anticipates the restaurant will have approximately three hundred (300) patrons. Patrons will consist primarily of nearby residents, employees of nearby businesses, shoppers and visitors to the Old and Historic District of Alexandria.

- B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

Approximately thirty (30) to forty (40) individuals will be employed on a full or part time basis. The anticipated maximum number of employees on site at any one time is fifteen (15).

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

Monday – Sunday

7:00 a.m. – 11:00 p.m.

7. Please describe any potential noise emanating from the proposed use:

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

It is not anticipated that noise levels will exceed permitted levels under the Alexandria City Code.

- B. How will the noise from patrons be controlled?

It is not anticipated that patron noise will be a source of complaints; as such, no extraordinary noise mitigation and control measures are warranted.

8. Describe any potential odors emanating from the proposed use and plans to control them:

It is not anticipated that offensive odors will emanate from the use of the property as a restaurant.

9. Please provide information regarding trash and litter generated by the use:

- A. What type of trash and garbage will be generated by the use? (i.e. office space, food wrappers)

The type of volume of trash and garbage generated by the restaurant will be mainly refuse from products received (i.e. cardboard delivery boxes) and from general restaurant operations (product remnants) and recyclables. Trash and garbage will be deposited and stored in the commercial dumpster in the loading area for the Atrium Building located off S. Columbus Street.

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

The restaurant will generate approximately one (1) dumpster per day.

- C. How often will trash be collected?

Trash and garbage will be collected by a commercial collector six (6) days a week.

D. How will you prevent littering on the property, streets and nearby properties?

Litter is not an anticipated problem; however, the restaurant's staff will self-police the adjacent right-of-way.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Small quantities of materials defined as hazardous, generally recognized to be appropriate for use by restaurants in the operation of the business, will be stored, used as solvents, and disposed of in accordance with applicable regulations.

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Small quantities of organic compounds, generally recognized to be appropriate for use by restaurants in the operation of the business, will be stored, used as solvents, and disposed of in accordance with applicable regulations.

12. What methods are proposed to ensure the safety of residents, employees and patrons?

The location and the proposed hours of operations of the restaurant should provide a safe environment for its patrons and staff. It is not anticipated that extraordinary security measures will be required.

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

☒ Yes. ☐ No.

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

On-premise consumption of beer, wine and spirits.

Off-premise sale of beer and wine.

PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use?

NONE. The Property is located in the Downtown Central Business District and the use of a portion of the Property for a restaurant is exempt for the requirement to provide off street parking.

_____ Standard spaces.

_____ Compact spaces.

_____ Handicapped accessible spaces.

_____ Other.

Planning and Zoning Staff Only
Required number of spaces for use per Zoning Ordinance Section 8-200A _____
Does the application meet the requirement?
<input type="checkbox"/> Yes <input type="checkbox"/> No

B. Where is required parking located? *(check one)*

☐ on-site**

☐ off-site *(check one)*

If the required parking will be located off-site, where will it be located?

**** Parking for the Atrium Building is provided for in a below grade parking facility with 223 parking spaces. Access to the garage is located on South Columbus Street. The parking facility is commercially operated.**

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

☐ Parking reduction requested; see attached supplemental form.

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? **One**

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____
Does the application meet the requirement?
<input type="checkbox"/> Yes <input type="checkbox"/> No

- B. Where are off-street loading facilities located?

The loading area for tenants of the Atrium Building is located adjacent to the Parking Facility access ramps off South Columbus Street. There is an internal service corridor from the loading area to the restaurant.

- C. During what hours of the day do you expect loading/unloading operations to occur?

It is anticipated that loading and unloading activities will occur Monday – Saturday 9:00 a.m. – 3:00 p.m.

- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

It is anticipated that there will be 5 -6 deliveries per day Monday - Saturday.

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access to the property is adequate.

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☐ No

How large will the addition be? **N/A**

18. What will the total area occupied by the proposed use be?

7,222 sq. ft. (existing) + _____ sq. ft. (addition if any) = 7,222 sq. ft. (total)

19. The proposed use is located in: *(check one)*

☐ a stand alone building

☐ a house located in a residential zone

☐ a warehouse

☐ a shopping center. Please provide name of the center:

☒ an office building. Please provide name of the building: **The Atrium Building.**

☐ Other, please describe:

RESTAURANT SUPPLEMENTAL APPLICATION

All applicants requesting A Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

1. How many seats are proposed?

Indoors: 50 Outdoor: 30* Total numbers proposed: 80

The Outdoor dining is not in the King Street Outdoor Dining area and is not eligible for administrative approval under the Alexandria zoning Ordinance. A separate application requesting adoption of an encroachment ordinance has been filed as a companion to the Special Use Permit.

2. Will the restaurant offer any of the following?

Alcoholic beverages (SUP only) X Yes No.

Beer and wine – on-premises X Yes No.

Beer and wine – off-premises X Yes No.

3. Please describe the type of food that will be served:

A restaurant and retail outlet providing cooking demonstrations, selling fresh baked breads, meats and gourmet food items.

4. The restaurant will offer the following service (check items that apply):

X table service X bar X carry-out delivery

5. If delivery service is proposed, how many vehicles do you anticipate? **N/A**

Will delivery drivers use their own vehicles? Yes. No.

Where will delivery vehicles be parked when not in use?

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)? Yes. X No.

If yes, please describe:

Parking impacts. Please answer the following:

- A. What percent of patron parking can be accommodated off-street?

(Check one)

☒ 100%

☐ 75-99%

☐ 50-74%

☐ 1-49%

☐ No parking can be accommodated off-street

Existing Public and Private off-street parking facilities within walking distance of the restaurant have sufficient capacity to serve patrons of the restaurant.

- B. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends?

(Check one)

☐ All

☐ 75-99%

☒ 50-74%

☐ 1-49%

☐ None

Existing Public and Private off-street parking facilities, specifically the Court House Parking Garage within walking distance of the restaurant have sufficient capacity to provide parking for those employees of the restaurant that drive to work.

- C. What is the estimated peak evening impact upon neighborhoods?

(Check one)

☒ No parking impact predicted

☐ Less than 20 additional cars in neighborhood

☐ 20-40 additional cars

☐ More than 40 additional cars

Litter plan. The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

Alcohol Consumption and Late Night Hours. Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:

36 Maximum number of patron dining seats

14 Maximum number of patron bar seats

-0- Maximum number of standing patrons

50 Maximum number of patrons

2. 15 Maximum number of employees by hour at any one time

3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)

☐ Closes by 8:00 P.M.

☐ Closes after 8:00 P.M. but by 10:00 P.M.

☒ Closes after 10:00 P.M. but by Midnight

☐ Closes after Midnight

4. Alcohol Consumption (check one)

☐ High ratio of alcohol to food

☐ Balance between alcohol and food

☒ Low ratio of alcohol to food